

Report of Examination

NOTE TO APPLICANT: Pursuant to WAC 173-153-130(8), the applicant is not permitted to proceed to act on the proposal until Ecology makes a final decision affirming, in whole or in part, the board's recommendation. It is advised that the applicant not proceed until the appeal period of Ecology's decision is complete.

NOTE TO AUTHOR: Read the instructions for completing a water conservancy board report of examination. Use the F11 key to move through the form.

<input checked="" type="checkbox"/> Surface Water		<input type="checkbox"/> Ground Water	
DATE APPLICATION RECEIVED June 6, 2006	WATER RIGHT DOCUMENT NUMBER (i.e., claim, permit, certificate, etc.) 00756	WATER RIGHT PRIORITY DATE 1881	BOARD-ASSIGNED CHANGE APPLICATION NUMBER KIT-06-09
NAME Teanaway Ridge LLC			
ADDRESS (STREET) PO Box 808	(CITY) Cle Elum	(STATE) WA	(ZIP CODE) 98922
Changes Proposed: <input checked="" type="checkbox"/> Change purpose <input type="checkbox"/> Add purpose <input type="checkbox"/> Add irrigated acres <input checked="" type="checkbox"/> Change point of diversion/withdrawal <input type="checkbox"/> Add point of diversion/withdrawal <input checked="" type="checkbox"/> Change place of use <input type="checkbox"/> Other (Temporary, Trust, Interests, etc.)			

SEPA

The board has reviewed the provisions of the State Environmental Policy Act of 1971, Chapter 43.21C RCW and the SEPA rules, chapter 197-11 WAC and has determined the application is: ☒ Exempt ☐ Not exempt

BACKGROUND AND DECISION SUMMARY

Existing Right (Tentative Determination)

MAXIMUM CUB FT/ SECOND	MAXIMUM GAL/MINUTE	MAXIMUM ACRE-FT/YR	TYPE OF USE, PERIOD OF USE				
1. .34		81.6	Irrigation of 17 acres May 1 to Sept. 1				
2. .156		0	Stockwater Sept. 2 to Nov. 15				
3. .222		0	Stockwater Nov. 16 to Feb 29				
4. .156		0	Stockwater March 1 to April 30				
5. .02		.9	Stockwater May 1 to Sept. 1				
Cumulative total for 2 through 9 is .9			(See Exhibit "I" for limitations on use)				
SOURCE Big Creek			TRIBUTARY OF (IF SURFACE WATER) Yakima				
AT A POINT LOCATED: PARCEL NO. 1100 feet North and 750 ft. east from the South 1/4 corner of Section 28 within	1/4 SW	1/4 SW	SECTION 29	TOWNSHIP N. 20	RANGE 14	WRIA	COUNTY Kittitas
LEGAL DESCRIPTION OF PROPERTY ON WHICH WATER IS USED							
That part of the S 1/2 NE 1/4 of Section 29, T. 20 N., R. 14 E. W.M. lying South of the Kittitas Reclamation District canal and easterly of Big Creek, except the east 400 feet thereof							
PARCEL NO.	1/4	1/4 NE	SECTION 29	TOWNSHIP N. 20	RANGE 14		

Proposed Use

MAXIMUM CUB FT/ SECOND	MAXIMUM GAL/MINUTE	MAXIMUM ACRE-FT/YR	TYPE OF USE, PERIOD OF USE				
	100	2.38	January Municipal Supply				
	100	2.23	February " "				
	100	3.33	March				
	100	3.68	April				
	100	5.71	May				
	100	6.91	June				
	100	7.61	July				
	100	7.61	August				
	100	5.52	September				
	100	3.81	Oct				
	100	3.22	Nov				
	100	2.38	Dec				
SOURCE Water in continuity with Big Creek			TRIBUTARY OF (IF SURFACE WATER) Yakima				
AT A POINT LOCATED: PARCEL NO.	1/4 SE	1/4 SE	SECTION 29	TOWNSHIP N. 20	RANGE 14	WRIA	COUNTY Kittitas
LEGAL DESCRIPTION OF PROPERTY ON WHICH WATER IS TO BE USED							

being ancillary described as follows:

Beginning at the center of said Section 29; thence along the East-West center of section line, South 89°25'35" East, 1317.78 feet to the NE corner of the North ½ of the NW ¼ of the SE ¼ of said section 29; thence along the East line of said N ½, South 00°30'25" West, 661.51 feet to the SE corner of said N ½; thence along the South line of said N ½, North 89°23'56" West, 1317.78 feet to the West line of the N ½ of the NW ¼ of the SE ¼ of said Section 29; thence along said West line N. 00°22'44" East, 660.87 feet to the point of the beginning.

The S. ½ of the NW ¼ of the SE ¼ of Section 29, T. 20 N., R. 14 E., W.M., in the County of Kittitas, State of Washington, being ancillary described as follows:

Beginning at the SW corner of the S ½ of the NW ¼ of the SE ¼ of said Section 29; thence along the West line of said South ½, North 00°22'44" East 660.88 feet to the NW corner of said South ½; thence along the North line of said South ½, South 89°23'56" East, 1317.78 feet to the NE corner of said S ½; thence along the East line of said S ½, South 00°30'25" West, 661.51 feet to the North line of the South ½ of the SE ¼ of said section 29; thence along said North line, North 89°22'16" West, 1316.31 feet to the point of beginning.

The SW ¼ of the SE ¼ of Section 29, T. 20 N. R. 14 East, W.M, County of Kittitas, State of Washington being ancillary described as follows:

Beginning at the S ¼ of said section 29; thence along the West line of the SW ¼ of the SE ¼ of said section 29, North 00°22'44" East, 1321.75 feet to the North line of said subdivision; thence along said North line, South 89°22'16" East, 1316.31 feet to the East line of said subdivision; thence along said East line, S 00°30'25" West, 1323.02 feet to the South line of said subdivision; thence along the South line of said subdivision, N. 89°18'55" West, 1313.35 feet to the point of beginning.

The SE ¼ of the SE ¼ and the West ½ of the NE ¼ of the SE quarter of Section 29, Township 20 N., Range 14 E. W.M, in the County of Kittitas, State of Washington, being ancillary described as follows:

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The NW ¼ of the NE ¼ of Section 32, T. 20 North, Range 14 East, W.M., in the County of Kittitas, State of Washington, being ancillary described as follows:

Beginning at the North ¼ corner of said Section 32; thence along the North line of said Section 32, South 89°18'55" East, 1313.35 feet to the East line of the NW ¼ of the NE ¼ of said Section 32; thence along said East line, South 00°38'42" West, 1336.94 feet to the South line of the NW ¼ of the NE ¼ of said Section 32; thence along said South line, North 89°25'45" West, 1317.60 feet to the West line of the NW ¼ of the NE ¼ of said Section 32; thence along said West line, North 00°49'37" East, 1339.56 feet to the point of the beginning.

The East ½ of the NE ¼ of Section 32, T. 20 N. Range 14 East, W.M. in the County of Kittitas, State of Washington, being ancillary described as follows:

Beginning at the NE corner of said Section 32; thence along the East line of said Section 32, South 00°27'45" West, 2668.65 feet to the East ¼ corner of said Section 32; thence along the South line of the NE ¼ of said Section 32, North 89°32'32" West, 1321.86 feet to the West line of the East ½ of the NE ¼ of said Section 32; thence along said West line, North 00°38'42" East, 2673.87 feet to the North line of said Section 32; thence along said North line, South 89°18'55" East, 1313.35 feet to the point of the beginning.

PARCEL NO.	¼	¼	SECTION	TOWNSHIP N.	RANGE,

Board's Decision on the Application

MAXIMUM CUB. FT. / SECOND	MAXIMUM GAL. / MINUTE	MIN. ACRE-FT. / YR	TYPE OF USE, PERIOD OF USE						
	100	2.58	January	Municipal Supply					
	100	2.23	February						
	100	3.33	March						
	100	3.68	April						
	100	5.71	May						
	100	6.91	June						
	100	7.61	July						
	100	7.61	August						
	100	5.52	September						
	100	3.81	Oct						
	100	3.22	Nov						
	100	2.38	Dec						
SOURCE Water in continuity with Big Creek			TRIBUTARY OF (IF SURFACE WATER) Yakima						
AT A POINT LOCATED: PARCEL NO.			1/4	1/4	SECTION 29	TOWNSHIP N. 20	RANGE 14	WRIA	COUNTY. Kittitas
LEGAL DESCRIPTION OF PROPERTY ON WHICH WATER IS TO BE USED AS APPROVED BY THE BOARD									

The N. ½ of the NW ¼ of the SE ¼ of 29, T. 20 N., R. 14 E. W. M., in the County of Kittitas, State of Washington, being ancillary described as follows:

Beginning at the center of said Section 29; thence along the East-West center of section line, South 89°25'35" East, 1317.78 feet to the NE corner of the North ½ of the NW ¼ of the SE ¼ of said section 29; thence along the East line of said N ½, South 00°30'25" West, 661.51 feet to the SE corner of said N ½; thence along the South line of said N ½, North 89°23'56" West, 1317.78 feet to the West line of the N ½ of the NW ¼ of the SE ¼ of said Section 29; thence along said West line N. 00°22'44" East, 660.87 feet to the point of the beginning.

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PARCEL NO.	¼	¼	SECTION	TOWNSHIP N.	RANGE,

DESCRIPTION OF PROPOSED WORKS

The applicant proposes to provide municipal water, as defined in RCW 90.03, service for approximately 200 residential units by converting seasonal irrigation rights described below to year round domestic use.

DEVELOPMENT SCHEDULE

BEGIN PROJECT BY THIS DATE: 10-1-2008	COMPLETE PROJECT BY THIS DATE: 10-1-2023	COMPLETE CHANGE AND PUT WATER TO FULL USE BY THIS DATE: 1-1-2023
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REPORT

NOTE TO AUTHOR: This form reflects the minimum regulatory requirements as required in WAC 173-153-130(6). In accordance with WAC 173-153-130(5), "It is the responsibility of the water conservancy board to ensure that all relevant issues identified during its evaluation of the application, or which are raised by any commenting party during the board's evaluation process, are thoroughly evaluated and discussed in the board's deliberations. These discussions must be fully documented in the report of examination." Completion solely of the minimum regulatory requirements may not constitute a fully documented decision.

BACKGROUND [See WAC 173-153-130(6)(a)]

On June 6, 2006 Teanaway Ridge, LLC of Cle Elum, WA filed an application for change to change the purpose of use, place of use and point of withdrawal confirmed under Court Claim No. 00756 in Acquavella v. Ecology, Yakima County cause No. 77-2-01484-5. The application was accepted at an open public meeting on June 6, 2006, and the board assigned application number KITT-06-09.

Attributes of the water right as currently documented

Name on certificate, claim, permit: Gerald J. Griffith

Water right document number: Court Claim No. 00756

As modified by certificate of change number: N/A

Priority date, first use: June 30, 1889

MAXIMUM CUB FT/SECOND

1. .34
2. .156
3. .222
4. .156
5. .02

MAXIMUM
GAL./MINUTE

MAXIMUM ACRE-FT/YR

81.6
0
0
0
.9
Cumulative total for 2 through 9 is .9

Source: Big Creek

Point of diversion/withdrawal: 1100 feet north and 750 feet east from the South $\frac{1}{4}$ corner of Section 29, being within the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 29, T. 20 North, Range 14 East, W.M.

Purpose of use: Irrigation of 17 acres and stock watering

Period of use: May 1 to September 1 for irrigation, continuous for stock water

Place of use: That part of the S $\frac{1}{2}$ NE $\frac{1}{4}$ Section 29, T. 20 North, Range 14 East, W.M. lying South of the Kittitas Reclamation District Canal and easterly of Big Creek, EXCEPT the east 400 feet thereof.

Existing provisions: See Exhibit 1 for limiting Provisions

Tentative determination of the water right

The tentative determination is provided on the front page of this report.

History of water use

The water right was confirmed in the Acquavella Water Rights Adjudication. The water right is in Subbasin 2 and the conditional final order was entered on February 13, 1997. Since the Conditional Final Order and until 2005 the water right was fully used. (See Declaration of Gerald Griffith, Exhibit 2). In 2005 Mr. Griffith sold the land separate from the water rights. Mr. Griffith sold the water rights to Château St. Michelle. Château St. Michelle transferred the water rights to Teanaway Ridge LLC, the applicant. Prior to transferring the water right to the applicant, Château St. Michelle applied to transfer the right to property it owned in Benton City, Washington. During that transfer the Big Creek Water master, Stan Isley, indicated that the water right had been fully used while he served as water master on Big Creek. Château St. Michelle abandoned that transfer and has now withdrawn the transfer request.

Previous changes

No previous change

SEPA

The Board has reviewed the proposed project in its entirety and, based on RCW 43.21C.030 and WAC 197-11-800(4), concludes the proposed change is exempt from the preparation of a detailed statement as provided in RCW 43.21C.030(2)(C).

Other

None.

COMMENT AND PROTESTS [See WAC 173-153-130(6)(b)]

Public notice of the application was given in the Ellensburg Daily Record on June 9, 2006 and June 16, 2006. The Protest period ended on July 16, 2006. (Exhibit 5)

There were no protests received during the 30 day protest period. In addition, no member of the public submitted oral and written comments at an open public meeting of the board held on July 18, 2006 or at the continuation of that meeting on July 25, 2006 or other means as designated by the board.

INVESTIGATION [See WAC 173-153-130(6)(c)]

Information was obtained from a site inspection conducted by Dennis Kelly on July 24, 2006 and Gregg Hall on July 11, 2006, technical reports prepared by Sanfrid J. (Jim) Milton dated July 18, 2006, the declaration of Gerald Griffith, the testimony of the applicant's representative, Pat Deneen and conversations with the applicant and/or other interested parties.

Proposed project plans and specifications

The applicant proposes to convert the water right to year round Domestic use to be withdrawn from a well in hydraulic continuity with Big Creek (See Exhibit "3", Geology and Hydrology of Big Creek dated July 18, 2006, pages 5 to 7). The applicant proposes to use a Class A Reclaimed Water System to treat water used in the Domestic use to Class A water standards. This Class A Reclaimed Water Facility will involve storage of water to augment Big Creek and graduate availability during periods of low flow. The Class A Reclaimed Water System is graphically depicted on Exhibit "4".

Other water rights appurtenant to the property (if applicable)

There are no other water rights appurtenant to the property.

Public Interest (groundwater only)

The proposed transfer is subject to RCW 90.44.100 and therefore, cannot be detrimental to the public interest, including impacts on any watershed planning activities. The board finds that the conversion of the right from irrigation to domestic use is in the public interest as it will provide domestic water for a growing residential demand in an area with uncertain quantities of domestic water. The transfer, because it will involve a Class A Reclaimed Water System has the ability to provide the necessary domestic water in a manner with no negative impact on the in stream flows in the area.

Tentative Determination

In order to make a water right change decision, the Board must make a tentative determination on the validity and extent of the right. The Board has made the tentative determination as displayed upon the first page of this report. There are several circumstances that can cause the board's tentative determination to differ from the stated extent of the water right within water right documentation. Water right documents attempt to define a maximum limitation to a water right, rather than the actual extent to which a water right has been developed and maintained through historic beneficial use. Additionally, except for a sufficient cause pursuant to RCW 90.14.140, water rights, in whole or in part, not put to a beneficial use for five consecutive years since 1967 may be subject to relinquishment under Chapter 90.14.130 through 90.14.180 RCW. Water rights may additionally be lost through abandonment. The Board's tentative determination was based on the testimony from Mr. Griffith (Exhibit 2) and the information from Stream Master, Stan Isley, generated during a prior transfer process the water right has been fully used. (Exhibit 6) The board's tentative determination is as set forth on page 1.

Geologic, Hydrogeologic, or other scientific investigations (if applicable)

A detailed report on the Big Creek Hydrology and Geology was prepared and is attached as Exhibit "3".

Other

None.

CONCLUSIONS [See WAC 173-153-130(6)(d)]

Tentative determination (validity and extent of the right)

Name on certificate, claim, permit: Gerald J. Griffith

Water right document number: Court Claim No. 00756

As modified by certificate of change number: N/A

Priority date, first use: June 30, 1889

MAXIMUM CUB FT/ SECOND
1. .34

MAXIMUM
GAL/MINUTE

MAXIMUM ACRE-FT/YR
81.6

2. .156;
3. .222
4. .156
5. .02

	0
	0
	.9
Cumulative total for 2 through 9 is .9	

Source: Big Creek

Point of diversion/withdrawal: 1100 feet north and 750 feet east from the South ¼ corner of Section 29, being within the SW ¼ SE ¼ of Section 29, T. 20 North, Range 14 East, W.M.

Purpose of use: Irrigation of 17 acres and stock watering

Period of use: May 1 to September 1 for irrigation, continuous for stock water

Place of use: That part of the S ¼ NE ¼ Section 29, T. 20 North, Range 14 East, W.M. lying South of the Kittitas Reclamation District Canal and easterly of Big Creek, EXCEPT the east 400 feet thereof.

See Exhibit 1 for limitations on use

Relinquishment or abandonment concerns

The Board concludes based on all material submitted that no portion of the water right has been relinquished or abandoned.

Hydraulic analysis

The board reviewed the report prepared by Mr. Milton (Exhibit 3) and adopts that report by reference.

Consideration of comments and protests

There were no comments or protests.

Impairment

Based on the Class A Reclaimed Water System plan with storage of class A reclaimed water for release back into the ground water and /or into Big Creek water the board concludes there will be no impact of existing users. In addition the proposed place of withdrawal is very close to the existing point of diversion from Big Creek. Based on the site visit there are no intervening diverters of water from Big Creek between the existing point of diversion and the proposed point of withdrawal. Lastly, the report prepared by Mr. Milton contains an impairment analysis and concludes there will be no impairment of other surface or ground water rights as a result of the transfer

Public Interest

The proposed transfer is authorized pursuant to RCW 90.44.100, describe whether it is detrimental to the public interest. Public interest shall not be considered if the proposed transfer is authorized pursuant to RCW 90.03.380 exclusively. The proposed transfer is subject to RCW 90.44.100 and therefore, cannot be detrimental to the public interest, including impacts on any watershed planning activities. The board finds that the conversion of the right from irrigation to domestic use is in the public interest as it will provide domestic water for a growing residential demand in an area with uncertain quantities of domestic water. The transfer, because it will involve a Class A Reclaimed Water System has the ability to provide the necessary domestic water in a manner with no negative impact on the in stream flows in the area. The board was provided with information, Exhibit "3", which analyzed existing wells in the area, based on that the Board concludes there will be no impact of existing water rights as a result of the transfer.

Other

The board also considered the previous provisions associated with the water right as identified in the background section of this report when making its decision.

DECISION [See WAC 173-153-130(6)(e)]

MAXIMUM CUB FT/ SECOND	MAXIMUM GAL/MINUTE	MAXIMUM ACRE-FT/YR	TYPE OF USE, PERIOD OF USE
	100	2.38	January Municipal Supply
	100	2.23	February " "
	100	3.33	March
	100	3.68	April
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	100	6.91	June
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	100	2.38	Dec
SOURCE Water in continuity with Big Creek			TRIBUTARY OF (IF SURFACE WATER) Yakima

AT A POINT LOCATED: PARCEL NO.	¼ SE	¼ SE	SECTION 29	TOWNSHIP N. 20	RANGE 14	... and A	COUNTY. Kittitas
LEGAL DESCRIPTION OF PROPERTY ON WHICH WATER IS TO BE USED							
<p>The N. ½ of the NW ¼ of the SE ¼ of Sec. 29, T. 20 N., R. 14 E. W. M., in the County of Kittitas, State of Washington, being ancillary described as follows:</p> <p>Beginning at the center of said Section 29; thence along the East-West center of section line, South 89°25'35" East, 1317.78 feet to the NE corner of the North ½ of the NW ¼ of the SE ¼ of said section 29; thence along the East line of said N ½, South 00°30'25" West, 661.51 feet to the SE corner of said N ½; thence along the South line of said N. ½. North 89°23'56" West, 1317.78 feet to the West line of the N ½ of the NW ¼ of the SE ¼ of said Section 29; thence along said West line N. 00°22'44" East, 660.87 feet to the point of the beginning.</p> <p>The S. ½ of the NW ¼ of the SE ¼ of Section 29, T. 20 N., R. 14 E., W.M., in the County of Kittitas, State of Washington, being ancillary described as follows:</p> <p>Beginning at the SW corner of the S ½ of the NW ¼ of the SE ¼ of said Section 29; thence along the West line of said South ½, North 00°22'44" East 660.88 feet to the NW corner of said South ½; thence along the North line of said South ½, South 89°23'56" East, 1317.78 feet to the NE corner of said S ½; thence along the East line of said S ½, South 00°30'25" West, 661.51 feet to the North line of the South ½ of the SE ¼ of said section 29; thence along said North line, North 89°22'16" West, 1316.31 feet to the point of beginning.</p> <p>The SW ¼ of the SE ¼ of Section 29, T. 20 N. R. 14 East, W.M, County of Kittitas, State of Washington being ancillary described as follows:</p> <p>Beginning at the S ¼ of said section 29; thence along the West line of the SW ¼ of the SE ¼ of said section 29, North 00°22'44" East, 1321.75 feet to the North line of said subdivision; thence along said North line, South 89°22'16" East, 1316.31 feet to the East line of said subdivision; thence along said East line, S 00°30'25" West, 1323.02 feet to the South line of said subdivision; thence along the South line of said subdivision, N. 89°18'55" West, 1313.35 feet to the point of beginning.</p> <p>The SE ¼ of the SE ¼ and the West ½ of the NE ¼ of the SE quarter of Section 29, Township 20 N., Range 14 E. W.M, in the County of Kittitas, State of Washington, being ancillary described as follows:</p> <p>Beginning at the SE corner of said Section 29; thence along the South line of said Section 29, N. 89°18'55" West, 1313.35 feet to the West line of said SE ¼ of the SE ¼ ; thence along the West line of said subdivision, North 00°30'25" East 2646.04 feet to the North line of the SE quarter of said Section 29; thence along said North line, South 89°25'35" East, 659.63 feet to the East line of said West ½ of the NE ¼ of the SE ¼; thence along said East line South 00°34'16" West, 1323.66 feet to the North line of said SE ¼ of the SE ¼; thence along said North line, South 89°22'16" East, 658.15 feet to the NE corner of the SE ¼ of the SE ¼; thence along the East line of said SE ¼, South 00°38'06" West, 1324.29 feet to the point of beginning.</p> <p>The NW ¼ of the NE ¼ of Section 32, T. 20 North, Range 14 East, W.M., in the County of Kittitas, State of Washington, being ancillary described as follows:</p> <p>Beginning at the North ¼ corner of said Section 32; thence along the North line of said Section 32, South 89°18'55" East, 1313.35 feet to the East line of the NW ¼ of the NE ¼ of said Section 32; thence along said East line, South 00°38'42" West, 1336.94 feet to the South line of the NW ¼ of the NE ¼ of said Section 32; thence along said South line, North 89°25'45" West, 1317.60 feet to the West line of the NW ¼ of the NE ¼ of said Section 32; thence along said West line, North 00°49'37" East, 1339.56 feet to the point of the beginning.</p> <p>The East ½ of the NE ¼ of Section 32, T. 20 N. Range 14 East, W.M. in the County of Kittitas, State of Washington, being ancillary described as follows:</p> <p>Beginning at the NE corner of said Section 32; thence along the East line of said Section 32, South 00°27'45" West, 2668.65 feet to the East ¼ corner of said Section 32; thence along the South line of the NE ¼ of said Section 32, North 89°32'32" West, 1321.86 feet to the West line of the East ½ of the NE ¼ of said Section 32; thence along said West line, North 00°38'42" East, 2673.87 feet to the North line of said Section 32; thence along said North line, South 89°18'55" East, 1313.35 feet to the point of the beginning.</p>							

PROVISIONS [See WAC 173-153-130(6)(f)]

Conditions and limitations

- (1) The applicant shall enter into a water management plan, in a form approved by the Department of Ecology.
- (2) The maximum rate of diversion/withdrawal and the annual total volume for each calendar year shall be submitted to Ecology by January 31st of the following year. The following information shall be included with each submittal of water use data: the owner, contact name if different, mailing address, daytime phone number, certificate number, and source name. In the future, Ecology may require additional parameters to be reported or more frequent reporting. Ecology prefers web based data entry, but does accept hard copies. (Ecology will provide forms and electronic data entry information to the superseding certificate holder.)
- (3) An approved measuring device is required to be installed and maintained for each diversion/withdrawal of the sources identified by this water right in accordance with the rule "Requirements for Measuring and Reporting Water Use", Chapter 173-173 WAC. Meter readings shall be recorded at least monthly and shall be made available to the Department of Ecology upon request. Chapter 173-173 WAC describes the requirements for data accuracy, device installation and operation, and information reporting. It also allows a water user to petition Ecology for modifications to some of the requirements. Installation, operation and maintenance requirements are enclosed as a document entitled "Water Measurement Device Installation and Operation Requirements".
- (4) Department of Ecology personnel, upon presentation of property credentials, shall have access at reasonable times to the records of water use that are kept to meet the above conditions, and to inspect at reasonable times any measuring device used to meet the above conditions.
- (5) This authorization shall in no way excuse the permittee from compliance with any applicable federal, state, or local statutes, ordinances, or regulations including those administered by other programs of the Department of Ecology.
- (6) The applicant is not permitted to proceed to act on the proposal until Ecology makes a final decision affirming, in whole or in part, the board's recommendation. However, if Ecology does not act on a board's recommendation within the time frame established in RCW 90.80.080, the applicant is allowed to initiate the water right change pursuant to the board's record of decision after that period of time has expired. In this regard, it is advised that the applicant not so initiate until the 30-day appeal period following Ecology's decision, whether by action or inaction, has run. See WAC 173-153-180.

Mitigation (if applicable)

None necessary.

Construction Schedule

Construction should begin by 12-31-09.

Other

See Above.

Signed at Ellensburg, Washington
This ____ day of August, 2006

_____, Board Representative
Kittitas County Water Conservancy Board

If you have special accommodation needs or require this form in alternate format, please contact 360-407-6607 (Voice) or 711 (TTY) or 1-800-833-6388 (TTY).

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